

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-23602-2023

Decided On: 29.02.2024

KEWAL SINGH

.....PETITIONER(s)

Versus

STATE OF PUNJAB AND ANOTHER

.....RESPONDENT(s)

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Angel Walia, Advocate
for the petitioner. (through VC)

Mr. Baljinder Singh, DAG, Punjab.

Mr. Atul Sharma, Advocate
for respondent No.2. (through VC)

KARAMJIT SINGH, J.(Oral)

Prayer in this petition is for quashing of FIR No.38 dated 22.04.2023 registered under Sections 379-B, 506 IPC at Police Station Sultanwind, Amritsar on the basis of compromise dated 05.05.2023 (Annexure P-2).

The above stated FIR was registered on the statement of the complainant/respondent No.2.

On notice of motion, respondent No.2 appeared in the Court through his counsel (through VC) and pleaded that he has no objection if the FIR in this case is quashed on the basis of the aforesaid compromise which has been effected between the parties.

Status report by way of an affidavit of Mr. Khushbir Kaur, Assistant Commissioner of Police, South, Amritsar City dated 11.09.2023 has been filed on behalf of respondent-State, which is taken on record.

During the course of preliminary hearing, the trial Court/Illaqa Magistrate was directed to record the statements of the all the concerned parties with regard to genuineness and validity or otherwise of the aforesaid compromise.

In compliance thereof, report from the Court of Learned Judicial Magistrate Ist Class, Amritsar along with statements of the parties has been received, in which, it is mentioned that the compromise is genuine and there was no undue influence or coercion from any side.

I have heard learned counsel for the parties.

Learned counsel for the petitioner(s) and for respondent No.2 are *ad idem* that in view of the settlement effected between the parties, the present petition deserves to be accepted. It has also come on record that the aforesaid compromise is genuine and the parties effected the same without any undue influence or coercion.

In view of above, nothing remains to be adjudicated further in the present case. Thus, continuation of the criminal proceedings between the parties would be a futile exercise and sheer wastage of time of the Court and thus, amount to abuse of process of law.

For the reasons aforestated and having regard to the law laid down by Hon'ble Apex Court in **Gian Singh v. State of Punjab and another**, 2012 (4) RCR (Criminal) 543 and Five Judges Bench of this Court in **Kulwinder Singh and others v. State of Punjab and another**, 2007(3) RCR (Criminal) 1052, this petition is allowed and FIR No.38 dated 22.04.2023 and all the subsequent proceedings are hereby quashed qua the petitioner.

(KARAMJIT SINGH)
JUDGE

29.02.2024

Aman Dua

Whether speaking/reasoned?
Whether reportable?

Yes/No
Yes/No